



### REMARKS

A Notice of Non-Compliant Amendment was mailed on May 11, 2005. The Notice claims that part [c] of claim 1 never existed in the previously presented claim filed on 5/14/04, and the applicant amends this part [c] as if it were original data in the claim.

The filing on May 14, 2004, was a Request for Publication of the application and included a copy of the application as filed. The copy of the application attached to the request, therefore, did not include any amendments made to the claims subsequent to the filing of the application. It appears that the amendment filed on Feb. 3, 2005, was incorrectly being compared to claim 1 as originally filed as it appeared in the copy of the application attached to the Request for Publication.

Claim 1, in fact, has been amended since the filing of the application, including Amendments filed on August 12, 2002 and January 15, 2004. The last amendment made to claim 1, in the Amendment filed on Jan. 15, 2004, is the basis upon which the amendments in the Amendment filed on Feb. 3, 2005 were made. During a telephone conversation with the Examiner on May 23, 2005, it was agreed that the claims as amended by the Amendment filed on Jan. 15, 2004, are the correct basis for the Amendment filed on Feb. 3, 2005. Applicants therefore respectfully submit that the Amendment filed on Feb. 3, 2005, is not improper. For the Examiner's convenience, the Applicants have provided a copy of the amendments to the claims in the first part of this response as were provided in the Amendment filed on Feb. 3, 2005.

It is respectfully submitted that the claims of this case are in a condition for allowance and favorable action thereon is requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brian A. Lemm", is written over a horizontal line.

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